



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

June 30, 2008

Mr. Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering
State Highway Administration
707 North Calvert St
Baltimore, MD 21202

Subject: Draft Environmental Impact Statement for US 50 Crossing Study from MD 611 to MD 378; and 3rd Street to Somerset Street Worcester County, Maryland (Project No. WO419A11, CEQ # 20080154)

Dear Mr. Grey:

In accordance with the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act, Section 404 of the Clean Water Act (Section 404), and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), the U. S. Environmental Protection Agency (EPA) has reviewed Draft Environmental Impact Statement (DEIS) for the above referenced project. The Draft Environmental Impact Statement (DEIS) was prepared by the Maryland State Highway Administration and the Federal Highway Administration (FHWA) in cooperation with the US Army Corp of Engineers, National Oceanic and Atmospheric Administration, the National Marine Fisheries Service, the US Coast Guard, US Fish and Wildlife, the Maryland Department of the Environment and the US Environmental Protection Agency (EPA).

The US 50 Crossing Study proposes to develop a transportation solution that addresses the transportation operational inadequacies and structural deficiencies as well as to improve safety for all users on the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland

Throughout project development, including planning, scoping, alternatives analysis, the Maryland State Highway Administration (SHA) has provided extensive and ongoing coordination, cooperation and consultation with EPA, as well as other Federal and state resource agencies in accordance with the US 50 Crossing Study Coordination Plan. As such, the DEIS provides a collaborative assessment of the proposed project.

EPA has evaluated the DEIS for the US 50 Crossing Study and has rated the project as an EC-1, Environmental Concerns, Adequate information. EPA has developed the rating system to evaluate EISs under the NEPA process. A copy of the EPA EIS rating system is enclosed for your information. Further information regarding the rating system can be found at: <http://www.epa.gov/Compliance/nepa/comments/ratings.html>. EPA has based the EC-1 rating for the project on general concern that all the proposed alternatives with the possible exception of the

Alternative 1 - No-Build and Alternative 2 - Rehabilitation pose on the socioeconomic and natural environment including the Indirect and Cumulative Effects associated with Skimmer Island.

EPA also recommends that SHA investigate the use of the following measure to further improve the project:

Construction Restriction including Dredging and/or Excavation:

1. The use of turbidity curtains or other Best Management Practices to avoid or minimize the potential of re-suspension of sediment and noise levels during construction.
2. In order to avoid or minimize construction impacts the project should employ the use steeper fill slopes and retaining wall where ever possible.
3. Continue to evaluate hydrology/hydraulics for the abutments location, pier size and configuration to minimize impacts to the bay.
4. Abide by the National Marine Fisheries and the Maryland Department of Natural Resource's construction restriction for federally threatened and endangered marine turtles, colonial nesting birds on Skimmer Island, and Essential Fish Habitat.

EPA recognizes and appreciates the proactive approach taken by SHA and FHWA in the development of the DEIS. Thank you for the opportunity to provide comments on the DEIS. Should you have any questions regarding our comments concerning the NEPA process, please contact Kevin Magerr at 215-814-5724.

Sincerely,



William Arguto
NEPA Team Leader

cc: Keith Gray, FHWA